



County of Los Angeles

CHIEF ADMINISTRATIVE OFFICE

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DAVID E. JANSSEN
Chief Administrative Officer

June 20, 2003

Board of Supervisors
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First District

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Second District

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Third District

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Fifth District

To: Supervisor Yvonne Brathwaite Burke, Chair
Supervisor Gloria Molina
Supervisor Zev Yaroslavsky
Supervisor Don Knabe
Supervisor Michael D. Antonovich

From: David E. Janssen
Chief Administrative Officer

STATE LEGISLATIVE UPDATE

Pursuit of County Position on Legislation

AB 185 (Horton) would require Los Angeles County to make the temporary positions in the Agricultural Commissioner's/Department of Weights and Measures Insect Detection Program full-time, permanent positions. Under current law, the California Department of Food and Agriculture (CDFA), which is responsible for insect control, generally contracts with local counties, including the County, and provides funding for temporary or seasonal workers. The CDFA currently employs their own workers on a part-time, 9-month basis for the insect detection programs in seven counties statewide, including Santa Barbara, Orange and Riverside counties.

The Agricultural Commissioner believes that this is an important program for the County and that the employees are essential to the operation. He is recommending that the County support AB 83 if funding is provided, and indicates that if Los Angeles County were forced to make their Inspector Aid positions full-time permanent positions, it would increase their costs by nearly \$1 million annually. The Agricultural Commissioner states that he would make the Inspector Aid positions permanent if funding were provided but since there is no funding in the bill, AB 185 would create an unfunded mandate. As a consequence, 60 Inspector Aid part-time positions, who receive health, and retirement benefits, would be eliminated and CDFA would take over the program. CDFA uses 9-month temporary staff with similar benefits, except health. In addition, the Agricultural

Commissioner/Department of Weights and Measures would experience a loss of approximately \$2.8 million in contract revenue from CDFA, and seven full-time permanent County positions with supervisory responsibility over the program, would have to be eliminated.

Our Sacramento advocates will support AB 185, if it is amended to provide funding because it creates an unfunded mandate to provide the service at a level that would not provide adequate funding for the program. AB 185 passed the Assembly on the consent calendar on a vote of 76 to 0, on May 15, 2003, and is currently in the Senate Committee on Agriculture and Water Resources with a hearing date set for July 1, 2003. Supporters include the American Federation of State, County and Municipal Employees, AFL-CIO (sponsor), California Professional Firefighters, and forty individuals. It is opposed by the California Agricultural Commissioners and Sealers Association, California Association of Winegrape Growers, California State Association of Counties, Napa County Board of Supervisors, San Diego County and Shasta County Board of Supervisors.

Status of County-Interest Legislation

County-supported AB 28 (Pacheco, Leslie), which would require the Department of Justice (DOJ) to create a website and post information regarding registered sex offenders who are serious or high risk offenders, and appropriates an unspecified sum from the General Fund to the DOJ to create the website, was referred to the Senate Committee on Governmental Organization and is scheduled to be heard on July 1, 2003.

County-opposed AB 231 (Steinberg), which eliminates the Statewide Fingerprint Imaging System (SFIS), passed the Senate Health and Human Services Committee on June 18, 2003 on a vote of 8 to 3. AB 231 now proceeds to the Senate Appropriations Committee.

County-supported AB 348 (Chu), which would allow either a psychiatrist or a psychologist to release a patient from an involuntary commitment provided that certain conditions are met, passed the Senate Health and Human Services on June 18, 2003, on a vote of 9 to 0. AB 348 now proceeds to the Senate Judiciary Committee.

County-supported AB 408 (Steinberg), which makes a number of changes to existing law intended to enhance the quality of life for foster youth and ensure that no child be emancipated from the foster care system without a connection to a committed and caring adult, passed the Senate Health and Human Services Committee on June 18, 2003, on a vote of 11 to 0, and now proceeds to the Senate Judiciary Committee.

County-supported AB 936 (Reyes), which creates a new crime of trespass related to stalking when a defendant knowingly enters or remains in a neonatal unit, maternity ward, or birthing center located in a hospital or clinic, was amended on June 16, 2003 to define reasonable notice as that which would give actual notice to a reasonable person, and that it is posted, at a minimum, at each entrance into the area. AB 936 is in the Senate Appropriations Committee and awaits a hearing date.

County-opposed, AB 1051 (Goldberg), as amended on June 10, 2003, would change the way utilities charge users for capital improvements, was passed by the Senate Committee on Local Government on June 18, 2003, on a vote of 5 to 2, and referred to the Committee on Education. County Counsel and the Internal Services Department attended the Committee on Local Government's hearing. Although the bill was approved without the amendments desired by the County, our Sacramento advocates believe that our testimony may lead to a more favorable hearing before the Senate Committee on Education. County Counsel is working with our outside attorneys and other opponents to the bill on an amendment that would define "proportionate" to ensure that no customers can be overcharged by a public utility. This amendment clarifies the author's intent, and is consistent with her remarks in the committee hearing.

County-sponsored AB 1153 (Bermudez), which criminalizes the unauthorized use, manufacture or sale of any official State, county, city, city and county or agency badge and/or associated photographic identification card, was amended on June 18, 2003 to conform with existing law regarding Police badges. AB 1153 is in the Senate Public Safety Committee and is scheduled to be heard on June 24, 2003.

County-sponsored SB 139 (Brulte), which would make clarifying changes to the Safe Haven Law which would make it easier for a parent to surrender a newborn in a safe environment, passed the Assembly Judiciary Committee on its consent calendar on June 17, 2003. SB 139 now proceeds to the Assembly Appropriations Committee.

County-supported, if amended, SB 196 (Kuehl), which would change the way two members of the Regional Water Quality Control Board (RWQCB) are selected, making it possible for one county supervisor and one mayor or city council member to be appointed to the RWQCB, was set for hearing before the Assembly Committee on Water, Parks and Wildlife on June 17, 2003. That hearing was cancelled at the request of the author and rescheduled for July 1, 2003.

County-supported SB 919 (Ortiz), which adds and defines code enforcement officers to the list of specified officers and other persons protected from assault and battery under the Penal Code, was amended on June 17, 2003 to expand the definition of a code enforcement officer to include any person who is employed by the Department of

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Housing and Community Development who has enforcement authority for health, safety, and welfare requirements pursuant to the Employee Housing Act. SB 919 is scheduled to be heard in the Assembly Public Safety Committee on June 24, 2003.

We will continue to keep you advised.

DEJ:GK
MAL:JL:DS:EW:ib

c: Executive Officer, Board of Supervisors
 County Counsel
 Local 660
 All Department Heads
 Legislative Strategist
 Coalition of County Unions
 California Contract Cities Association
 Independent Cities Association
 League of California Cities
 City Managers Associations